MEMORANDUM

May 14, 1964

TO: Mr. J. Lee Rankin

FROM: Leon D. Hubert Jr.
Burt W. Griffin

SUBJECT: Adequacy of Ruby Investigation.

1. Past Recommendations. In memoranda dated February 18, February 24, February 27, and March 12, we made various suggestions for extending the investigation initiated by the FBI in connection with the Oswald homicide. Some of the suggestions were accepted and action taken. Many were not. We have not pressed the matter largely because since the middle of March, almost 100% of our time has been occupied with the Dallas depositions and their sequelae. The following represents our view at this time with respect to appropriate further investigation.

2. General Statement of Areas Not Adequately Investigated. In reporting on the murder of Lee Oswald by Jack Ruby, we must answer or at least advert to these questions:

a) Why did Ruby kill Oswald;

b) Was Ruby associated with the assassin of President Kennedy;

c) Did Ruby have any confederates in the murder of Oswald?

It is our belief that, although the evidence gathered so far does not clearly show a conspiratorial link between Ruby and Oswald, or between Ruby and others, the evidence also does not clearly exclude the possibilities that:

a) Ruby was indirectly linked through others to Oswald;

b) Ruby killed Oswald, because of fear; or

c) Ruby killed Oswald at the suggestion of others.

3. Summary of Evidence Demanding Further Investigation. The following facts suggest the necessity of further investigation:

a. Ruby had time to engage in substantial activities in addition to the management of his clubs. Ruby's night club business usually occupied no more than five hours of a normal working day which began at about 10:00 a.m. and ended at 2:00 a.m. It was his practice to spend an average of only one hour a day at his Clubs between 10:00 a.m. and 9:00 p.m. Our depositions were confined primarily to persons familiar with Ruby's Club activities. The FBI has thoroughly investigated Ruby's night club operations but does not seem to have probed into his other business or social activities. The basic materials do make reference to such other activities (see p.27 of our report of February 18), but these are casual and collateral and were not explored to determine whether they involved any underlying sinister purpose. Nor were they probed in such a manner as to permit a determination as to how much of Ruby's time they occupied.

b. Ruby has always been a person who looked for moneymaking "sidelines". In the two months prior to November 22, Ruby apparently spent considerable time promoting an exercise device known as a "twist board". The "twist board" was purportedly manufactured by Plastellite Engineering, a Fort Worth manufacturer of oil field equipment which has poor credit references and was the subject of an FBI investigation in 1962. In view of no sales of this item by Ruby, nor do we know if any "twist boards" were manufactured for sale, the possibility remains that the "twist board" was a front for some other illegal enterprise.

c. Ruby has long been close to persons pursuing illegal activities. Although Ruby had no known ideological or political interest (see p.39 of our report of February 18), there is some evidence that he was interested in Cuban matters. In early 1959, Ruby inquired concerning the smuggling of persons out of Cuba. He has admitted that, at that time, he negotiated for the sale of Jeeps to Castro. In September 1959, Ruby visited Havana at the invitation of Las Vegas gambler, Lewis J. McWillie, who paid Ruby's expenses for the trip and who was later expelled from Cuba by Castro. McWillie is described by Ralph Paul, Ruby's business partner, as one of Ruby's closest friends. Ruby mailed a gun to McWillie in early 1963. In 1961, it is reported that Ruby attended three meetings in Dallas in connection with the sale of arms to Cubans and the smuggling out of refugees. The informant identifies an Al Browner as Ruby's associate in this endeavor. Shortly after his arrest on November 24, Ruby named [illegible] Browner as one of his expected attorneys. Browner did not represent Ruby, however. Insufficient investigation has been conducted to confirm or deny the report about meetings in 1961. When Henry Wade announced to the press on November 22, 1963 that Oswald was a member of the Free Cuba Committee, Ruby corrected Wade by stating "No, the Fair Play for Cuba Committee. There is a difference". The Free Cuba Committee is an existing anti-Castro organization. Earl Ruby, brother of Jack Ruby, sent an unexplained telegram to Castro in April 1962. [illegible] is a reasonable possibility exists that Ruby has maintained a close interest in Cuban affairs to the extent necessary to participate in gun sales or smuggling.

2. Ruby had time to engage in substantial activities in addition to the management of his clubs. Ruby's night club business usually occupied no more than five hours of a sixteen-hour working day which began at about 10:00 a.m. and ended at 2:00 a.m. It was his practice to spend an average of only one hour a day at his clubs between 10:00 a.m. and 9:00 p.m. [illegible] [illegible] were confined primarily to [illegible] [illegible] in Ruby's club activities. The FBI has thoroughly investigated Ruby's night club operations but does not seem to have placed [illegible] his other business or social activities. The basic materials do make reference to such other activities (see p.27 of our report of February 18), but these are casual and collateral and were not explored to determine whether they involved any underlying sinister purpose. Nor were they probed in such a manner as to permit a determination as to how much of Ruby's time they occupied.

3. Ruby has always been a person who looked for money-making "sidelines". In the two months prior to November 22, Ruby apparently spent considerable time promoting an exercise device known as a "twist board". The "twist board" was purportedly manufactured by Plastellite Engineering, a Fort Worth manufacturer of oil field equipment which has known [illegible] [illegible] and was the subject of an FBI investigation in 1962. We know of no sales of this item by Ruby, nor do we know if any "twist boards" were manufactured for sale. The possibility remains that the "twist board" was a front for some other illegal enterprise.

4. Ruby has long been close to persons pursuing illegal activities. Although Ruby had no known ideological or political interest (see p.23 of our report of February 18), there is much evidence that he was interested in Cuban matters. In early 1959, Ruby inquired concerning the smuggling of persons out of Cuba. He has admitted that, at that time, he negotiated for the sale of jeeps to Castro. In September 1959, Ruby visited Havana at the invitation of Las Vegas gambler, Louis J. McWillie who paid Ruby's expenses for the trip and who was later expelled from Cuba by Castro. McWillie is described by Ralph Paul, Ruby's business partner as one of Ruby's closest friends. Ruby mailed a gun to McWillie in early 1963. In 1961, it is reported that Ruby attended three meetings in Dallas in connection with the sale of arms to Cubans and the smuggling out of refugees. The informant identified [illegible] [illegible] as Ruby's associate in this endeavor. Shortly after his arrest on November 24, Ruby named [illegible] as one of his appointed attorneys. [illegible] [illegible] represents Ruby, however. Insufficient investigation has been conducted to confirm or deny Ruby's alleged [illegible] meetings in 1961. When it was announced by [illegible] on November 22, 1963 that Oswald was a member of the Free Cuba Committee, Ruby corrected Wade by stating "Not the Free Cuba Committee, [illegible] Fair Play for Cuba Committee." There is a difference. The Free Cuba Committee is an existing anti-Castro organization. Earl Ruby, brother of Jack Ruby, sent an unexplained telegram to Havana in April 1962. We believe that a reasonable possibility exists that Ruby has maintained a close interest in Cuban affairs to the extent necessary to participate in gun sales or smuggling.

b. Bits of evidence link Ruby to others who may have been interested in Cuban affairs. When Ruby's car was seized on November 24, it contained various right-wing radio scripts issued by H. L. Hunt and a copy of the Wall Street Journal bearing the mailing address of a man who has not yet been identified. In May 1963, Earl Ruby, operator of a dry cleaning business, is known to have telephoned the Welch Candy Company (owned by the founder of John Birch Society). The purpose of the call is unknown. Jack Ruby's personal notebook contained the Massachusetts telephone number and address of Thomas Hill, former Dallas resident, working at the Boston headquarters of the John Birch Society. Although it is most likely that all of these bits of circumstantial evidence have innocent explanations, none has yet been explained.

c. Although Ruby did not witness the motorcade through Dallas, he may have had a prior interest in the President's visit. A November 21 edition of the Fort Worth Telegram showing the President's proposed route through Fort Worth, and the November 20 edition of the Dallas Morning News showing the President's route through Dallas, were found in Ruby's car on November 24.

d. On November 16 Jack Ruby met at the Carousel Club with Bertha Cheek, sister of Mrs. Earlene Roberts, manager of Lee Oswald's rooming house. Mrs. Cheek said that she and Ruby discussed her lending Ruby money to open a new night club. Ruby was not questioned about this matter. On November 22, 1963, a woman, who may be identified as Earlene Roberts, was reported to be in San Antonio at the time of President Kennedy's visit. The possible identification of Mrs. Roberts in San Antonio has not been checked out. In addition, the link formed by Mrs. Roberts between Oswald and Ruby is heightened in some measure by the fact that one of Ruby's strippers dated a tenant of the Beckley Street rooming house during the tenancy of Lee Oswald. We have previously suggested the theory that Ruby and Mrs. Cheek could have been involved in Cuban arms sales of which Oswald gained knowledge through his efforts to infiltrate the anti-Castro Cubans. Our theory concerning the real interest of Mrs. Cheek in Jack Ruby stems from the fact that one of her four husbands was a convicted felon and one of her friends was a police officer who married one of Ruby's strip-tease dancers. We have suggested that Ruby might have killed Oswald out of fear that Oswald might implicate Ruby and his friends falsely or not in an effort to save his own life. We think that neither Oswald's Cuban interests in Dallas nor Ruby's Cuban activities have been adequately explored.

e. Ruby made or attempted to make contacts on November 22 and 23 with persons known and unknown, who could have been co-conspirators. Ruby was visited in Dallas from November 21 to November 24, 1963 by Lawrence Meyers of Chicago. Meyers had visited Ruby two weeks previously. Ruby also made a long distance call shortly after the President's death to Alex Gruber in Los Angeles. Gruber had visited Ruby about the same time as Meyers in early November. Both Gruber and Meyers give innocent explanations. Meyers claims he was in Dallas enjoying [illegible] but accommodating friend". Further claims Ruby called to say he would not call a day that day, as he had promised to do. Finally between 11:15 p.m. and 12 midnight, Saturday, November 23, Ruby made a series of brief long distance phone calls culminating with a call to entertainer Breck Wall at a friend's house in Galveston. Wall stated Ruby called to compliment him for pulling off his (Wall's) act at the Adolphus Hotel in Dallas. Background checks have not been made on these persons.

b. In short, we believe that the possibility exists, based on evidence already available, that Ruby was involved in illegal dealings with Cuban elements who might have had contact with Oswald. The existence of such dealings can only be surmised since the present investigation has not focused on that area.

c. We suggest that these matters cannot be left "hanging in the air". They must either be explored further or a firm decision must be made not to do so supported by stated reasons for the decision. As a general matter we think the investigation deficient in these respects:

(1) Substantial time-segments in Ruby's daily routine from September 26 to November 22 have not been accounted for.

(2) About 46 persons who saw Ruby from November 22 to November 24, have not been questioned by staff members, although there are FBI reports of interviews with all these people.

(3) Persons who have been interviewed because of known associations with Ruby generally have not been investigated themselves so that their truthfulness can be evaluated. The FBI reports specifically do not attempt evaluation. The exception has been that where the FBI has been given incriminating evidence against Ruby, it has made further investigation to determine whether others might also be implicated with Ruby. In every case where there was such evidence implicating others, those other persons were interviewed and denied the incriminating allegations. Further investigation has not been undertaken to resolve the conflicts.

(4) Much of our knowledge of Ruby comes from his friends Andrew Armstrong, Ralph Paul, George Senator and Larry Crafard. Investigations have not been undertaken to corroborate their claims.

4. Specific Investigation Recommendations.

a. We should obtain photos of all property found on Ruby's person, in his car, or at his home or club, now in possession of the Dallas District Attorney. We already have photos of Ruby's address books, but no other items have been photographed or delivered to the Commission. These items include the H. L. Hunt literature and newspapers mentioned in paragraphs 31 and 32.

b. We should conduct staff interviews or take depositions with respect to Ruby's Cuban activities of the following persons:

i. **Robert Ray McKeown.** Ruby contacted McKeown in 1959 in connection with the sale of jeeps to Cuba. The objective of an interview or deposition of McKeown would be to obtain information on possible contacts Ruby would have made after 1959 if his interest in armament sales continued.

ii. **Nancy Perrin.** Perrin claims she met with Ruby three times in 1961 concerning refugee smuggling and arms sales. She says she can identify the house in Dallas where meetings took place. Perrin now lives in Boston. Ruby admits he was once interested in the sale of jeeps, at least, to Cuba.

c. We should obtain reports from the CIA concerning Ruby's connections. The CIA has been requested to provide a report based on a memorandum delivered to them March 12, 1964 covering Ruby's background including his possible Cuban activities, but a reply has not been received as yet.

d. We should obtain reports from the FBI based on requested investigation of allegations suggesting that Earlene Roberts was in San Antonio on November 21.

e. The Commission should take the testimony of the following persons for the reasons stated:

i. **Hyman Rubenstein**

Sam Ruby

Earl Ruby

As the siblings of Jack Ruby, Hyman is the eldest child and presumably will be the best witness as to family history. He talked to Jack on November 23, reportedly visited Jack the week before the assassination, and participated in Ruby's trial board [illegible]. Sam lived with Jack [illegible] in California prior to World War II, induced Jack to come to Dallas in 1947, and managed the Vegas Club for Jack in Dallas from [illegible] 1963. Earl was a travelling salesman with Jack from 1941 - 1943, [illegible] partner 1946-1947, and made phone calls before November 22 and afterwards which require explanation.

ii. [illegible]. This person can testify to the impeachment of the testimony by Sgt. Dean and Det. Archer against Ruby and of seeing Ruby on November 22 in the Police Department building.

iii. Jack Ruby.

1. We should take the depositions of the following persons for the purpose stated:

i. Tom Howard. This person is one of Ruby's original attorneys, and is reported to have been in the police basement a few minutes before Oswald was shot and to have inquired if Oswald had been moved. He filed a writ of habeas corpus for Ruby about [illegible] the shooting of Oswald. He could explain these activities and possibly tell us about the Ruby trial. We should hear these explanations.

ii. FBI Agent Hall. This person interviewed Ruby for 2½ hours on November 24 beginning at approximately 11 a.m. His report is in conflict with Sgt. Dean's trial testimony. He also interviewed Ruby on December 21, 1963.

iii. Seth Kantor. This person was interviewed twice by the FBI and persists in his claim that he saw Ruby at Parkland Hospital shortly before or after the President's death was announced. Ruby denies that he was ever at Parkland Hospital. We must decide who is telling the truth, for there would be considerable significance if it were concluded that Ruby is lying. Should we make an evaluation without seeing Kantor ourselves?

iv. Bill DeMar. This person claims to have seen Oswald at the Carousel Club prior to November 22, and that claim perhaps more than any other has been given wide circulation. Should we evaluate DeMar's credibility solely on the basis of FBI reports?

2. The FBI should re-interview the following persons for the purpose stated:

i. Alex Gruber. To obtain personal history [illegible] original meeting and subsequent contacts with Ruby, to obtain details of visit to Dallas in November 1963 including where he stayed, how long, who saw him, etc. The FBI should also check [illegible] in Dallas.

ii. Lawrence Meyers. (Same as Senator)

iii. Ken Dowe. (KLIF reporter) To ascertain how he happened to first contact Ruby on November 22 or 23rd, (Ruby provided information to KLIF concerning the location of Chief Curry), and whether KLIF gave any inducements to Ruby to work for it on the weekend of November 22-24.

iv. Rabbi Hillel Silverman. To establish when Silverman saw Ruby at the Synagogue and obtain names of other persons who may have seen Ruby at the Synagogue on November 22 and 23. Silverman states that he saw Ruby at the 8 p.m. service on November 22 and at the 9 a.m. service on November 23; but both of these services lasted at least two hours and we do not know whether Ruby was present for the entire services. Silverman (and others) would "place" Ruby, or fail to do so, during critical hours.

v. [illegible]. (Same as Senator plus employment in Dallas.)

vi. Breck Wall. This person was an entertainer at the Adolphus Hotel, Dallas, at the time of President Kennedy's assassination. Ruby called him in Galveston at 11:47 p.m. Saturday, November 23, 1963. He also visited Ruby at the County jail. A background check should be conducted as to this person.

vii. Andrew Armstrong, Bruce Carlin, Karen Bennett Carlin, Curtis Laverne Crafard, [illegible], George Senator.

These six persons were deposed at length because of their friendship with Ruby, familiarity with Ruby's personal and business life, and contacts with Ruby on November 22, 23 and 24. In general, each has professed to have had no knowledge of Ruby's activities during those three days.

Andrew Armstrong, who was [illegible] at the Carousel and worked closely with [illegible] the deposition covers Ruby's activities and [illegible] state generally and particularly [illegible] November 23 and 24. A background check should be conducted as to this person and selected parts of his testimony should be checked out to test his veracity.

Karen and Bruce Carlin were the recipients of a $25 money order bought by Ruby approximately 5 minutes before Ruby shot Oswald. Marguerite Oswald testified that she believed she knew Karen Carlin. Additional checks should be conducted on the Carlins.

[illegible] [illegible] called temporarily [illegible] [illegible] [illegible] November 23. Although we tend to believe his explanation, we believe a background check on him plus verification of some of his activities on November 23 are warranted.

Paul, is Ruby's business partner. A background check should be conducted as to him and his telephone calls during November should be checked out.

George Senator, Ruby's roommate, alleged by Crafard to be a homosexual, claims not to have seen Ruby except at their apartment Sunday morning and for a few hours early Saturday morning. Senator's background and own admitted activities on November 22, 23 and 24, should be verified.

5. Other areas of Ruby Investigation which are not completed.

a. Various rumors link Ruby and Oswald which do not appear to be true; however, the materials we have are not sufficient to dismiss them satisfactorily. Such rumors include:

i. Communist associations of Ruby;

ii. Oswald's use of a Cadillac believed to belong to [illegible]

iii. After the depositions of Nancy Perrin, Robert [illegible] and Sylvia Odio have been taken, further investigation may be necessary with respect to Ruby's Cuban [illegible].

b. Ruby's notebooks contain numerous names, addresses and telephone numbers. Many of these persons have either not been located or deny knowing Ruby. We believe further investigation is appropriate in some instances; however, we have not yet evaluated the reports now on hand.

c. We have no expert evidence as to Ruby's mental condition; however, we will obtain transcripts of the psychiatric testimony at the Ruby trial.

6. Comparison of Ruby and Oswald Investigative Efforts.

Depositions have been taken from less than one-fourth of the persons [illegible] [illegible] to have talked to or seen Ruby on November 22 and [illegible] [illegible] [illegible] compared in connection with the Oswald investigation. [illegible] believe the Commission should consider the work of the staff [illegible] both in investigative and historical [illegible]. Forty-six [illegible] witnesses are involved including persons listed in paragraph 3 a.(2) above.

7. Other Investigative Recommendations. We have suggested in earlier memoranda that two categories of evidentiary material have been virtually ignored.

a. Radio, TV and Movie recordings. The Dallas radio stations taped recorded every minute of the time on November 22, 23 and 24. We have obtained these audio tapes for all except a portion of November 24, and the tapes include a number of interviews with key witnesses in the Oswald area. In addition, the tapes shed considerable light on the manner in which Dallas public officials and Federal agents conducted the investigation and performed in public view. We believe that similar audio tapes and movie films should be obtained from NBC, CBS, ABC, UPI and Movietone News, and relevant portions should be reviewed by staff members. Whenever witnesses appear on these films who have been considered by the Commission in preparing its report, a copy of such witnesses' statements should be made a part of the Commission records by introduction into evidence. If one person were directed to supervise and expedite this effort, we believe it could be done without unreasonable expenditure of Commission time and money.

b. Hotel and motel registrations, airline passenger manifests, and Emigration and Immigration records.

Copies of Dallas hotel and motel registrations and airline manifests to and from Dallas should be obtained for the period September 24 to December 1, 1963. Similarly, Emigration and Immigration records should be obtained for the period October 1, 1963 to January 1, 1964. We believe that these records may provide a useful test of new evidence developed after the Commission publishes its report. We do not suggest that these records necessarily be examined by the Commission staff at the present time. [illegible], for example, it is likely that in the future, persons will come forward who will claim to have been in Dallas during the critical period and who will claim to have important information. These records [illegible] serve to confirm or refute their claims.